

KRAMER LEVIN NAFTALIS & FRANKEL LLP

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*Proposed Counsel for Debtors and Debtors in Possession*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:	: Chapter 11
	: Case No. 10-11963 (CGM)
SAINT VINCENTS CATHOLIC MEDICAL CENTERS OF NEW YORK, <u>et al.</u> ,	:
	:
Debtors.	: Joint Administration Pending
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**NOTICE OF CHAPTER 11 FILING AND OF FIRST DAY MOTIONS AND HEARING**

PLEASE TAKE NOTICE THAT:

1. On April 14, 2010, Saint Vincents Catholic Medical Centers of New York (“SVCMC”) and certain of its affiliates, as Chapter 11 debtors and debtors in possession (each a “Debtor” and collectively, the “Medical Centers” or the “Debtors”)<sup>1</sup> filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, in the United States Bankruptcy Court for the Southern District of New York (the “Court”).

2. Together with their petitions, the Debtors also filed and requested a prompt hearing before the Court on April 15, 2010 at 11:00 a.m., Eastern Time (the “Hearing”), on certain motions seeking first day relief (collectively, the “First Day Motions”), listed on the Hearing agenda attached hereto as Exhibit A.

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<sup>1</sup> In addition to SVCMC, the Debtors are as follows: (i) 555 6th Avenue Apartment Operating Corporation; (ii) Bishop Francis J. Mugavero Center for Geriatric Care, Inc.; (iii) Chait Housing Development Corporation; (iv) Fort Place Housing Corporation; (v) Pax Christi Hospice, Inc.; (vi) Sisters of Charity Health Care System Nursing Home, Inc. d/b/a St. Elizabeth Ann’s Health Care & Rehabilitation Center; (vii) St. Jerome’s Health Services Corporation d/b/a Holy Family Home; and (viii) SVCMC Professional Registry, Inc. There are certain affiliates of SVCMC who are not debtors.

3. The Court scheduled a Hearing on April 15, 2010 at 11:00 a.m., Eastern Time, before the Honorable Cecelia G. Morris, United States Bankruptcy Judge, in Courtroom 701 at the United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004-1408 to consider the First Day Motions.

4. A copy of each of the First Day Motions can be viewed and obtained on the Court's website [www.ecf.nysb.uscourts.gov](http://www.ecf.nysb.uscourts.gov) or (without charge) at <http://chapter11.epiqsystems.com/svcmc2010>.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney if you have one in these bankruptcy cases. (If you do not have an attorney in these bankruptcy cases, you may wish to consult one.)**

If you do not want the Court to grant the relief requested in the First Day Motions, or if you want the Court to consider your view on the First Day Motions, you or your attorney must attend the Hearing. **If you or your attorney do not attend the Hearing, the Court may grant the relief requested in the First Day Motions.**

Dated: New York, New York  
April 14, 2010

KRAMER LEVIN NAFTALIS & FRANKEL LLP

/s/ Adam C. Rogoff \_\_\_\_\_  
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**EXHIBIT A**

KRAMER LEVIN NAFTALIS & FRANKEL LLP

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CENTERS OF NEW YORK, <u>et al.</u> ,	:	
	:	
Debtors.	:	Joint Administration Pending
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**FIRST DAY HEARING AGENDA**

Time and Date of Hearing: **April 15, 2010 at 11:00 a.m.** (Eastern Time)

Location of Hearing: Courtroom of the Honorable Cecelia G. Morris, United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Custom House, One Bowling Green, Room 701, New York, New York 10004-1408.

Copies of Motions: A copy of each of the First Day Motions may be viewed on the Court's website at [www.ecf.nysb.uscourts.gov](http://www.ecf.nysb.uscourts.gov) or (without charge) at the Debtors' Information Website: at  
<http://chapter11.epiqsystems.com/svcmc2010>

**I. Introduction and Background**

- A. Declaration of Mark E. Toney Pursuant to Local Bankruptcy Rule 1007-2 and In Support of First Day Motions and Applications. [Docket No. 18]

## **II. Financing Matters**

- A. **DIP Motion** - Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to Incur Postpetition Indebtedness; (II) Granting Senior Security Interests and Superpriority Claims; (III) Authorizing the Debtors to Use Cash Collateral; (IV) Granting Adequate Protection; (V) Providing Related Relief; and (VI) Scheduling a Final Hearing.

## **III. First Day Matters**

- A. **Motion Regarding Closure of Manhattan Hospital**

1. **Closure Motion** - Motion of the Debtors for Entry of Interim and Final Orders Pursuant to Sections 105(a), 363, and 1108 of the Bankruptcy Code (A) Authorizing the Debtors to Continue the Implementation, in Accordance With New York State Law of a Plan of Closure for the Debtors' Manhattan Hospital and Certain Affiliated Outpatient Clinics and Practices; and (B) Scheduling a Final Hearing. [Docket No. 10]

- B. **Motions Regarding Employee Matters**

1. **Employee Wages/Benefits**- Motion of the Debtors for Entry of Interim and Final Orders Authorizing (I) Payment of Employee Wages; (II) Payment of Funds Deducted from Payroll; (III) Use of Paid Leave; (IV) Reimbursement of Employee Expenses; (V) Payment to Certain Benefit Providers; (VI) All Banks to Honor Checks; and (VII) Scheduling a Final Hearing. [Docket No. 17]

- C. **Motions Regarding Business Operations**

1. **Resident Trust Fund Obligations** - Motion of the Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Honor Certain Prepetition Obligations to Long-Term Care Residents, (B) Continue to Honor Long-Term Care Resident Refunds, and (C) Maintain Long-Term Care Resident Trust Fund Accounts and Policies; and (II) Schedule a Final Hearing. [Docket No. 13]

2. **Patient Refund** - Motion of the Debtors for Entry of Interim and Final Orders: Authorizing (I) Payment of Certain Ordinary Course Patient Overpayments; and (II) Turn Over of Certain Third-Party Funds. [Docket No. 11]

3. **Medicaid Settlement** - Motion of the Debtors for Entry of Interim and Final Orders Pursuant to Sections 105(a) and 363(b) of the Bankruptcy Code for Authorization to Honor and Continue to Perform Under Prepetition Agreements With the New York State Office of the Medicaid Inspector General. [Docket No. 15]

4. **Cash Management** - Motion of Debtors for Interim and Final Orders (A) Authorizing Continued Use of Existing Cash Management Systems; (B) Honoring Certain Prepetition Obligations of the Debtors Related to the Cash Management System; (C) Maintaining the Existing Bank Accounts; (D) Continuing Use of Existing Business Forms; (E) Waiving Investment and Deposit Guidelines of Bankruptcy Code Section 345(b); and (F) Scheduling a Final Hearing. [Docket No. 9]
5. **Utilities** - Motion of the Debtors for Entry of Interim and Final Orders Under Sections 105(a) and 366 of the Bankruptcy Code (A) Prohibiting Utilities From Altering, Discontinuing or Refusing Service to, or Discriminating Against, the Debtors; (B) Determining That Utilities are Adequately Assured of Payment; (C) Establishing Procedures for Determining Requests for Adequate Assurances of Payment; and (D) Scheduling a Final Hearing. [Docket No. 14]
6. **Healthcare Ombudsman** – Oral Motion for and Order (I) Designating Debtors as Health Care Business as Defined in 11 U.S.C. § 101(27A); and (II) Appointing Patient Care Ombudsman Pursuant to 11 U.S.C. § 333.

D. Motions Regarding Administrative and Procedural Matters

1. **Joint Administration** - Motion of the Debtors for Entry of an Order Pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure Directing Joint Administration of Chapter 11 Cases. [Docket No. 2]
2. **Extension for Schedules** - Motion of the Debtors for Entry of an Order Extending the Time to File Schedules and Statements of Financial Affairs. [Docket No. 4]
3. **Epiq Appointment** - Application of the Debtors to Employ and Retain Epiq Bankruptcy Solutions, LLC as Notice and Claims Agent for the Debtors and Debtors in Possession *Nunc Pro Tunc* to the Petition Date. [Docket No. 6]
4. **Consolidated Lists** - Motion of the Debtors for Entry of an Order (A) Authorizing the Debtors to Prepare a List of Creditors in Lieu of a Formatted Mailing Matrix; (B) Authorizing The Debtors to File a Consolidated List of the Debtors' 30 Largest Unsecured Creditors; and (C) Approving the Form and Manner of Notice of Commencement of the Debtors' Chapter 11 Cases. [Docket No. 5]
5. **Case Management** - Motion of the Debtors for Entry of an Administrative Order Establishing Case Management Procedures. [Docket No. 8]
6. **Case Conference** - Notice of Proposed Order Scheduling Initial Case Conference. [Docket No. 3]

Dated: New York, New York  
April 14, 2010

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